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C O N F I D E N T I A L SECTION 01 OF 02 PANAMA 002176

SIPDIS

DEPARTMENT FOR WHA/CEN, WHA/PPC, WHA/CCA

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TAGS: [PREL](#) [PGOV](#) [PM](#) [CU](#) [HO](#) [LABOR](#) [HUMAN](#) [RIGHTS](#) [POLMIL](#)

SUBJECT: PANAMA PARDONS ANTI-CASTRO CUBANS

REF: A. PANAMA 02152

[1](#)B. PANAMA 0925

[1](#)C. PANAMA 0672

Classified By: DCM Christopher J. McMullen for Reasons 1.5 (b) & (d)

[1](#)1. (SBU) Late on August 25, outgoing President Mireya Moscoso signed an executive decree pardoning four anti-Castro Cuban prisoners -- Luis Posada Carriles and AmCits Gasper Jimenez, Guillermo Novo, and Pedro Remon (see Reftels) and 163 others, as one of her final acts as president. The GOP immediately transported the four Cubans to Tocumen Airport, where they departed on two chartered aircraft at 0650 August [1](#)26. The three AmCits arrived in Miami before noon. The other prisoner, Posada Carriles, reportedly traveled to Honduras.

[1](#)2. (U) Panama recalled its ambassador in Havana on August 23 and expelled the Cuban Ambassador on August 25. Those actions followed a strongly worded August 22 Cuban communique, threatening an "automatic" rupture of diplomatic relations if Panama released the prisoners.

[1](#)3. (C) GOP sources stated that Moscoso made all decisions regarding the anti-Castro prisoners, only consulting a small circle that included Minister of Government and Justice Escalona and confidants including her sister First Lady Ruby Moscoso de Young and National Police Director Carlos Bares. Bares reportedly made all travel arrangements for the four prisoners.

[1](#)4. (U) The press and many commentators speculated that Mireya and Ruby Moscoso both received bribes from Cuban Americans in Miami. Other speculation focused on Moscoso's alleged aim to curry favor in Miami and with USG officials, possibly as an insurance policy against visa revocation (under 212-f) for official corruption. A lawyer linked to the incoming party claimed to have the name of the European bank where the millions of dollars in bribes would be deposited.

[1](#)5. (C) Incoming Foreign Minister Samuel Lewis Navarro told Ambassador August 26 that he had no prior notice of the pardons, which he said "interrupted the judicial process." He added that the Torrijos administration would try to repair relations with Cuba. President-elect Torrijos stated publicly August 25 that he would restore any break in diplomatic relations with Cuba.

[1](#)6. (SBU) Also on August 26, Colon governor Gassan Salama resigned in protest of Moscoso's pardons. Although a member of Moscoso's party, the governor reportedly accused Moscoso of keeping common people in prison but freeing "terrorists." (Comment: Other critics have called attention to Moscoso's ongoing "Mano Dura" operations, which involve police sweeps through poor neighborhoods. Cuba also has \$250 million in arrears in the Colon Free Zone (CFZ), which has worried some CFZ proprietors who fear the rupture could further complicate their efforts to collect their Cuban debts. End Comment.)

[1](#)7. (U) On August 26, two groups of University of Panama students demonstrated peacefully against the pardons more than a mile from the Embassy. A group of 200 students blocked four lanes of traffic on the Transistmica Highway and another group blocked traffic in the neighborhood of Curundu.

[1](#)8. (U) Moscoso stated publicly that she released the prisoners for "humanitarian" reasons, implying that the incoming Torrijos administration would extradite them to Venezuela or Cuba, where they would be executed. Moscoso called the August 22 Cuban note "insulting," although she added that was not a reason for her decision.

[1](#)9. (SBU) Moscoso's pardon also included prominent newspaperman Roberto Eisenmann, and many other prominent Panamanian journalists, who had been accused under Panama's dictatorship-legacy libel and slander laws.

Comment

[1](#)10. (C) Speculation abounds as to Moscoso's motives in pardoning the four anti-Castro Cubans. Both Moscoso and her sister have strong ties in Miami, where they own real estate and spend a considerable amount of time. Coming at the end

of her term in office, the pardons cause few problems for Moscoso but leave a mess for the incoming Torrijos government, whose Democratic Revolutionary Party historically has had stronger ties to Cuba. Even incoming FM-designate Lewis told Emboff that the language of Cuba's August 22 note shocked him, and Mireya has taken advantage of that insult to Panamanian honor to act the staunch Panamanian patriot. Also, by pardoning the Cubans and the journalists simultaneously, Moscoso somewhat softened the shock of pardoning convicted felons, while responding to what her critics have called her hypersensitivity to press criticism. The Colon governor's resignation and the recall of Panama's ambassador to Cuba will also cost them little because they both would have left office along with Moscoso on September 1. The controversy will likely be aired by the press during Secretary Powell's visit to the inauguration, especially because Cuba has accused the Secretary of requesting the release. (See Reftel A).

WATT